

# EXHIBIT 1

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

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JANSSEN PRODUCTS, L.P., JANSSEN SCIENCES  
IRELAND UC,  
*Plaintiffs-Appellees*

v.

MYLAN PHARMACEUTICALS INC., MYLAN INC.,  
*Defendants-Appellants*

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2014-1843

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Appeal from the United States District Court for the  
District of New Jersey in Nos. 2:10-cv-05954-WHW-CLW,  
2:10-cv-05956-WHW-MCA, 2:11-cv-01461-WHW-MCA,  
2:11-cv-01509-WHW-MCA, 2:11-cv-03995-WHW-MCA,  
2:11-cv-04027-WHW-MCA, 2:11-cv-04437-WHW-MCA,  
2:12-cv-02840-WHW-MCA, and 2:12-cv-05358-WHW-  
MCA, Senior Judge William H. Walls.

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### ON MOTION

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Before MOORE, LINN, and WALLACH, *Circuit Judges*.  
LINN, *Circuit Judge*.

**O R D E R**

2 JANSSEN PRODUCTS, L.P. v. MYLAN PHARMACEUTICALS INC.

Janssen Products, L.P. and Janssen Sciences Ireland UC (collectively, “Janssen”) and Mylan Pharmaceuticals Inc. and Mylan Inc. (collectively, “Mylan”) move jointly to, *inter alia*, remand the appeal to the district court for modification of the final judgment order consistent with the district court’s indicative ruling.

Janssen and Mylan inform the court that they have executed a settlement and licensing agreement that would allow Mylan to manufacture and sell its products. They further inform the court that the district court has issued an indicative ruling that it will modify the injunction and final judgment order to allow Mylan to market its products.

We grant the motion so that the district court may consider modification of the final judgment order consistent with the district court’s indicative ruling. *See Ohio Willow Wood Co. v. Thermo-Ply, Inc.*, 629 F.3d 1374, 1375 (Fed. Cir. 2011). In granting this motion, this court takes no position on the propriety or necessity of that modification, leaving it to the district court to apply the principles enunciated in *U.S. Bancorp Mortgage Co. v. Bonner Mall Partnership*, 513 U.S. 18, 29 (1994).

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

/s/ Daniel E. O’Toole  
Daniel E. O’Toole  
Clerk of Court

ISSUED AS A MANDATE: January 21, 2016

s32